

Mesa/Gallup Housing Project

City of San Jose File No. PP16-007

Environmental Assessment

for HUD-Assisted Projects

24 CFR Part 58



March 2016

Prepared for:

City of San Jose Department of Housing
200 E Santa Clara Street
San Jose CA 95113

Prepared by:

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Environmental Assessment Determinations and Compliance Findings for HUD-assisted Projects 24 CFR Part 58

Project Information

Project Name:	Mesa/Gallup Housing Project
Responsible Entity:	City of San Jose Department of Housing 200 E Santa Clara Street San Jose, CA 95113
Grant Recipient:	Successor Agency to the San Jose Redevelopment Agency 200 E Santa Clara Street, 14 th Floor San Jose, CA 95113
State/Local Identifier:	California
Preparer:	Audrey Zagazeta, Director of Environmental Services, Circlepoint
Certifying Officer Name and Title:	Harry Freitas, Director Department of Planning, Building and Code Enforcement
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Direct Comments to:	Harry Freitas, Director Department of Planning, Building and Code Enforcement 200 E Santa Clara Street San Jose, CA 95113 (408) 535-7851

Project Location:

The project site is located on the southwest corner of Gallup Drive and Mesa Drive in San Jose (City), California. The addresses associated with the project site are 5647 Gallup Drive (APN: 567-52-029) and 1171 Mesa Drive (APN: 567-52-028). Major roadways associated with the project site include Blossom Hill Road one block to the north and Almaden Road two blocks to the east.

Description of the Proposed Project [24 CFR 50.12 & 58.32; 40 CFR 1508.25]:

The 0.36-acre (15,700-square-foot) site is comprised of two adjacent parcels, both of which are vacant under existing conditions. The two existing parcels would be combined as part of any future project. The project site is currently owned by the Successor Agency to the San Jose Redevelopment Agency. Following completion of the environmental review process, the City would acquire the property from the Agency and then transfer the property for development, consistent with the *Envision San Jose 2040 General Plan* (General Plan), via a future competitive process. The proposed project would be designated as “affordable housing,” and future occupancy of the completed housing project would include income-restricted households or specific demographic groups, such as seniors.

The project proposes the construction of up to 25 dwelling units with incidental on-site landscaping and parking. In the event that more than 25 dwelling units are proposed by the future developer, or other changes are proposed in the design, additional environmental review could be necessary to determine potential environmental impacts associated with the modified project.

The height of the buildings on site would be up to 45 feet, or three stories. The proposed residential buildings would contain a minimum of building lighting, parking area lighting (likely attached to buildings or parking garages) and pathway lighting. Both Mesa Drive and Gallup Drive are fully improved local streets with streetlights, and no new street lighting would be required as part of this project.

Access to and from the site would be through the use of existing, or new, driveways from Mesa Drive and/or Gallup Drive. The location of the new driveway(s) would be based on the final number of dwelling units on the project site, as well as the number of driveways needed to support the proposed development.

The project site was historically used for agricultural purposes prior to 1930, and for residential uses thereafter. The residential units recently removed from the project site were constructed in the 1960s. Construction of the proposed project would include earth moving activities such as trenching and grading. Given the previous agricultural use of the project site, prior to 1930, the upper 3 feet of excavated soil is proposed to be removed from the project site during construction to avoid potential hazards from past pesticides. Although there are no anticipated hazards associated with past pesticide use on the property, this design measure would ensure that no risk to human health from residual pesticides would occur.

The project will meet all requirements of the City of San Jose’s zoning ordinance, design guidelines and all applicable city policies.

Design Measures

Although a construction schedule has not been determined for the proposed project; there are several construction-related design measures that have been incorporated into the project plans. Design measures would be included to attenuate exterior and interior noise levels, such as construction of noise barrier fences, orienting project buildings so as to provide shielding from traffic noise, forced air mechanical ventilation for units, and the use of sound-rated windows and doors. Construction of the project would include equipment (larger than 50 horsepower) that meets U.S. Environmental Protection Agency (EPA) particulate matter emission standards for Tier 4 engines or equivalent.

Prior to development of the project, development permits will be obtained for the project from the Department of Planning, Building and Code Enforcement of the City of San Jose. At the development permit stage, Planning Department will include many Standard Permit Conditions, such as conditions for air quality and construction-related noise regulations. Implementation of those Standard Permit Conditions as design measures would guarantee that the proposed project conforms to federal, state, and local air quality and noise standards.

Statement of Purpose and Need for the Proposal [40 CFR 1508.9(b)]:

The sale of the existing properties, and the subsequent construction of the proposed 25 dwelling units, would both provide housing to residents in need of reduced priced housing, as well as achieve an element of San Jose's development plan as defined by the General Plan. The project site is intended for buildout within the Hoffman/Via Monte Strong Neighborhoods Initiative, as per the City's General Plan.

The Association of Bay Area Governments (ABAG) Regional Housing Needs Assessment (RHNA) projections for 2014-2022 estimate that San Jose will need approximately 14,661 new housing allocations for the 'Very Low' and 'Low' income demographic groups before 2022 (ABAG, 2014). The project site is located within an area where 46 percent of the people within the census tract are living below twice the federal poverty line (see **Appendix G**).¹ Furthermore, the Community Development Block Grant (CDBG) program funding is specifically intended for "activities which benefit low- and moderate-income persons."² As of 2013, the average number of persons per household in San Jose was 3.16; given this average, the proposed project would provide affordable housing for approximately 80 residents.

Existing Conditions and Trends [24 CFR 58.40(a)]:

The project site was historically used for agricultural purposes, and at one point contained a single-family dwelling unit. The previous structures have been removed; however, remnants of the former residence and driveway remain. **Figure 1** shows the project site, as well as the surrounding land uses. The site is level terrain, with no rock outcroppings, or associated bodies

¹ U.S. Office of Environmental Health Hazard Assessment, 2015. Population Characteristics Indicators. Available at: <http://oehha.maps.arcgis.com/apps/MapSeries/index.html?appid=6e5df08a61984e29a90e7d67236ef233>. Last accessed: February 1, 2016.

² U.S. Department of Housing and Development, 2014. *CDBG Entitlement Program Eligibility Requirements*. Available at: <https://www.hudexchange.info/programs/cdbg-entitlement/cdbg-entitlement-program-eligibility-requirements/>. Last accessed: February 1, 2016.

of water. Approximately 15 mature trees and groundcover, comprised of non-native grasses and forbs, exist on the project site.

Funding Information

Grant Number	HUD Program	Funding Amount
B-15-MC-06-0021	Community Development Block Grant (CDBG)	\$1,200,000

Estimated Total HUD Funded Amount: \$1,200,000

Estimated Total Project Cost (HUD and non-HUD funds) [24 CFR 58.32(d)]: \$1,200,000

Compliance with the California Environmental Quality Act (CEQA)

Under the provisions of Section 15332 of the State Guidelines for Implementation of the California Environmental Quality Act (CEQA), this project has been found to be exempt (see **Appendix H**).

Compliance with 24 CFR 50.4, 58.5, and 58.6 Laws and Authorities

Record below the compliance or conformance determinations for each statute, executive order, or regulation. Provide credible, traceable, and supportive source documentation for each authority. Where applicable, complete the necessary reviews or consultations and obtain or note applicable permits of approvals. Clearly note citations, dates/names/titles of contacts, and page references. Attach additional documentation as appropriate.

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6	Are formal compliance steps or mitigation required?	Compliance determinations
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 & 58.6		
Airport Hazards 24 CFR Part 51 Subpart D	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	<p>The project does not involve a land use change. The proposed development is zoned R-M (Multi-family Residential) under existing conditions, and would adhere to standards, including height restrictions, established by the R-M zoning district development standards, and policies of the General Plan.</p> <p>There is one major airport and one minor civil airport within 15 miles of the project site. There is no military airport nearby. San Jose International Airport lies approximately 9 miles north of the project</p>

		<p>site. The project site does not lie within the airport's area of influence (AIA); the nearest border of the AIA to the project site lies approximately 5 miles north.</p> <p>Reid-Hillview Airport lies 12 miles northeast of the project site. The project site lies approximately 6 miles outside of the airport's area of influence.</p> <p>The project site is not located within airport safety zones for either airport.</p> <p>Source:</p> <p>Santa Clara County Airport Land Use Commission. <i>Comprehensive Land Use Plan, Santa Clara County, Norman Y. Mineta, San Jose International Airport</i>. May 25, 2011. Figure 7, Airport Safety Zones; Figure 8, Airport Area of Influence.</p> <p>Santa Clara County Airport Land Use Commission. <i>Comprehensive Land Use Plan, Santa Clara County, Reid-Hillview Airport</i>. October 24, 2007. Figure 7, Airport Safety Zones; Figure 8, Airport Area of Influence.</p> <p>City of San Jose, 2011. <i>Envision San Jose 2040 General Plan</i>. Available at: https://www.sanjoseca.gov/DocumentCenter/Home/View/474. Last accessed: January 29, 2016.</p> <p>Appendix A</p>
<p>Coastal Barrier Resources</p> <p>Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>The project site is located in HUD Region IX.</p> <p>There are no designated Coastal Barrier Resources in HUD Region IX.</p> <p>Source:</p> <p>United States Fish and Wildlife Service, 2015. Coastal Barrier Resources System. Available at: http://www.fws.gov/ecological-services/habitat-conservation/cbra/Determinations.html. Last accessed: February 4, 2016.</p>

<p>Flood Insurance Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]</p>	<p>Yes No <input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>According to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM), and the Environmental Data Resources (EDR) report prepared for the project, the project site is located within the 500-year flood zone, which has a 0.2 percent annual chance of flooding.</p> <p>The 500-year flood zone is considered a moderate-risk flood hazard area. Homes and businesses located in moderate- to low-risk areas are typically not federally required to have flood insurance.</p> <p><i>Source:</i> Federal Emergency Management Agency (FEMA). Flood Insurance Rate Map (FIRM). Available at: http://map1.msc.fema.gov/idms/IntraView.cgi?KEY=87007069&IFIT=1. Last accessed: January 28, 2016.</p> <p>National Flood Insurance Program. When Insurance is Required. January 2016. Residents of Moderate-to-Low Risk Areas. Available at: https://www.floodsmart.gov/floodsmart/pages/about/when_insurance_is_required.jsp. Last accessed: January 28, 2016.</p> <p>Appendix B Appendix D</p>
<p>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 & 58.5</p>		
<p>Clean Air Clean Air Act, as amended, particularly section 1761 & (d); 40 CFR Parts 6, 51, 93</p>	<p>Yes No <input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>The project would conform to the Clean Air Act as established by the United States Environmental Protection Agency (U.S. EPA). Additionally, the project would adhere to the more stringent standards established by the California Clean Air Act (CAA), administered by the California Air Resources Board (ARB) and regulated regionally by the Bay Area Air Quality Management District (BAAQMD).</p> <p>The Bay Area Air Quality Management District (BAAQMD) has established screening criteria for pollutants and their</p>

		<p>precursors, using assumptions for various different land uses; the land use type that most closely fits the proposed project is apartment building. The construction criteria pollutant screening size for apartments is 240 dwelling units, while the operational criteria pollutant screening size is 451 dwelling units; both of which are significantly larger than the proposed project's 25 dwelling units.</p> <p>Impacts from Project Construction</p> <p>Temporary construction-related air quality impacts may occur due to earth moving activities such as excavation and grading. However, according to the BAAQMD's CEQA Guidelines, construction of the proposed project would have a less than significant impact from criteria air pollutants if the project is below the applicable screening size. As stated above, the proposed project is significantly below the construction criteria pollutant screening size. Given this, and given that the Standard Permit Conditions below would be incorporated in the project design phase, the proposed project would have a less-than-significant impact on construction-related air quality impacts.</p> <p><u>Standard Permit Conditions</u></p> <ul style="list-style-type: none"> • All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day. • All haul trucks transporting soil, sand, or other loose material off site shall be covered. • All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited. • All vehicle speeds on unpaved roads shall be limited to 15 miles per hour (mph). • All roadways, driveways, and sidewalks
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		<p>to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.</p> <ul style="list-style-type: none"> • Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of the California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points. • All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation. • Post a publicly visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations. <p>Impacts from Project Operation</p> <p>According to the BAAQMD's CEQA Guidelines, if a project is below the operational screening pollutant criteria, it would not result in operation-related impacts to air quality. As stated above, the proposed project is significantly below the operational screening level size; therefore, its operation-related impacts would be less than significant.</p> <p>In addition, because the operational thresholds would not be exceeded, implementation of the proposed action would result in a less-than-significant cumulative impact to air quality from criteria air pollutant and precursor</p>
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		<p>emissions.</p> <p>In addition, an Air Quality and Greenhouse Gas Emissions Assessment Report was prepared for the project by Illingworth and Rodkin in December 2015. The report confirms that both construction and operational impacts to air quality, associated with the proposed project, would be below thresholds established by the BAAQMD.</p> <p><u>BAAQMD Screening Thresholds</u></p> <p>The project would conform with the most recent clean air plan is the <i>Bay Area 2010 Clean Air Plan</i> (BAAQMD, September 2010), since the project:</p> <ul style="list-style-type: none"> • Would have emissions well below BAAQMD thresholds. • Would be considered infill development. • Would be near existing transit with regional connections. <p>Although, the Bay Area is considered a non-attainment area for ground-level ozone and PM_{2.5} under both the Federal Clean Air Act and the CAA, due to the project's size, construction- and operational-period emissions would be less than significant.</p> <p>No stationary sources of air pollution (e.g., back-up generators) have been identified for this project.</p> <p><u>Traffic Emissions</u></p> <p>As stated above, the project would have emissions less than the BAAQMD screening size for evaluating impacts related to ozone and particulate matter. Therefore, the project would not contribute substantially to existing or projected violations of those standards. Carbon monoxide emissions from traffic generated by the project would be the pollutant of greatest concern at the local level. Intersections affected by the project would have traffic volumes less than the BAAQMD screening criteria and, thus, would not cause a violation of an ambient air quality standard or have a considerable contribution to cumulative violations of</p>
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		<p>these standards.</p> <p><u>Computed Cancer Risk</u></p> <p>Excess cancer risk at off-site residential receptors would be below the BAAQMD significance threshold of 10 in one million. Results of the assessment for project construction indicate the maximum excess residential infant cancer risk would be 1.5 in one million and the residential adult incremental cancer risk would be 0.0 in one million. At the nearest sensitive receptor, the maximum excess risk would be 0.1 in one million.</p> <p>Additionally, both the maximum annual modeled PM_{2.5} concentration and the maximum modeled DPM concentration, from exhaust and fugitive dust emissions, would be below the BAAQMD thresholds. The maximum-modeled annual PM_{2.5} concentration was 0.0µg/m³, which is below the threshold of 0.3µg/m³. The maximum modeled annual residential DPM concentration (i.e., from construction exhaust) was 0.0092 µg/m³. The maximum computed HI based on this DPM concentration is 0.00, which is much lower than the BAAQMD significance criterion of a HI greater than 1.0.</p> <p>The above-mentioned emissions from the project would have a less-than-significant impact with respect to community risk caused by construction activities at nearby residential receptors.</p> <p>Localized emissions of diesel exhaust may be noticeable from time-to-time during project construction; however, they would be localized and are not likely to adversely affect people off site by resulting in confirmed odor complaints. The project would not include any sources of significant odors that would cause complaints from surrounding uses. This would be a less-than-significant impact.</p> <p><u>Greenhouse Gas Emissions</u></p> <p>In regard to greenhouse gas emissions; for</p>
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		<p>operational impacts, the BAAQMD screening project size is identified at 78 dwelling units. Since the project proposes 25 dwelling units, it is concluded that emissions would be below the BAAQMD significance threshold of 1,100 MT of CO₂e annually and, therefore, this impact is considered less than significant. Neither BAAQMD nor the City has an adopted threshold of significance for construction-related GHG emissions; however, incorporation of the above-mentioned standard permit conditions would reduce construction-related impacts from GHGs to a less-than-significant level.</p> <p>Furthermore, the project would be subject to the City's GHG Reduction Strategy established by the General Plan. The City elected to adopt the BAAQMD's Plan Efficiency threshold of 6.6 metric tons of CO₂ equivalent per service population per year (MT CO₂e/SP/yr). Given that the proposed project is below the BAAQMD's screening thresholds, and would not significantly contribute to the cumulative air quality impact, the project is consistent with the City's GHG Reduction Strategy, and impacts from GHG emissions would be less than significant.</p> <p>Source: Illingworth & Rodkin, 2015. <i>Air Quality and Greenhouse Gas Emissions Assessment</i>.</p>
<p>Coastal Zone Management Coastal Zone Management Act, sections 307 (c) & (d)</p>	<p>Yes No <input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>The project site is located in the City of San Jose, an urbanized area in the South Bay of the San Francisco Bay Area. The project site lies 14 miles south of the San Francisco Bay, and 19 miles north of Capitola, the nearest point on the California coastline.</p> <p>The site of the proposed action is not located near the Pacific Ocean shoreline or within 100 feet of the San Francisco Bay shoreline or other navigable water body, and is therefore not located on land subject to the provisions of the Coastal Zone Management</p>

		<p>Act (administered as part of the California Coastal Management Program).</p> <p>Source:</p> <p>State of California. San Francisco Bay Conservation and Development Commission. Activities Requiring Permit Approval, 2015. Available at: http://www.bcdc.ca.gov/permits/require-permit-approval.html. Last accessed: January 28, 2016.</p>
<p>Contamination and Toxic Substances</p> <p>24 CFR Part 50.3(i) & 58.5(i)(2)</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>The project site is vacant under existing conditions.</p> <p>Based on available records, the project site had been used for agricultural purposes prior to the 1930s and for residential purposes thereafter. The residential units recently demolished from the project site were constructed in the 1960s.</p> <p>The site is not listed on a hazardous materials regulatory database.</p> <p>A Phase I Environmental Site Assessment (ESA) was conducted by Cornerstone Earth Group in September 2008; the ESA concluded that:</p> <ul style="list-style-type: none"> • No significant quantities of hazardous materials were observed on site. • With the proposed removal of the upper 3 feet of excavated soil during construction, risk to human health from residual pesticides (from past agricultural uses) would be significantly reduced. • As a precaution, applicable OSHA regulations regarding asbestos and lead-based paint should be adhered to during demolition and removal of the remaining remnants of the former residence. • As is typical to many commercial areas, several facilities in the vicinity were reported as hazardous materials users; however, no hazardous material incidents have been reported in the site vicinity that would likely significantly

		<p>impact the site.</p> <p>The project would not introduce toxic or hazardous materials to the project vicinity. The project would not entail the routine use, transport, or disposal of hazardous materials as part of its day-to-day operations. No substantial quantities of hazardous materials would be stored on site during operation, save for small amounts of common cleaning and landscaping products that are typically found in most residences, commercial buildings, and institutional facilities. Any hazardous substances, including asbestos, lead, and impacted soils would be removed from the project site, as per the Hazardous Materials and Site Mitigation Programs established by the Santa Clara County Department of Environmental Health.</p> <p>Source:</p> <p>County of Santa Clara, Department of Environmental Health, 2016. Hazardous Materials and Site Mitigation Programs. Available at: https://www.sccgov.org/sites/hazmat/programs/Pages/home.aspx. Last accessed: January 28, 2016.</p> <p>Appendix D</p>
<p>Endangered Species</p> <p>Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>The proposed project is located in a developed urban area of the City. The site is currently vacant but had been previously developed since the 1960s with two residential buildings. Generally, wildlife species that already occupy urban areas are predisposed to adapt to disturbed urban conditions.</p> <p>The project site is located within the boundaries of the Santa Clara Valley Habitat Conservation Plan (Habitat Plan), which aims to promote the recovery of endangered species and enhance ecological diversity amidst increasing growth in Santa Clara County.</p> <p>The project site is located on an area designated as Urban Development, which is classified as land that has been cleared for</p>

development and is defined by having one or more structures per 2.5 acres.

There is no habitat for endangered, rare, or threatened species on or near the project site. Additionally, no wetlands or riparian habitat areas occur on site or in the project vicinity.

The City requires that a permit be obtained to remove any ordinance sized tree, which is a tree larger than 56 inches in circumference at two feet above grade. Out of a total of 15 trees on site, 10 would require permits for their removal, as per the tree removal controls in the City of San Jose's Municipal Code (Chapter 13.32).

Standard Permit Conditions: Trees removed as a result of the project would be required to be replaced in accordance with all applicable laws, policies or guidelines, including:

- City of San Jose Tree Protection Ordinance
- San Jose Municipal Code Section 13.28
- General Plan Policies MS-21.4, MS-21.5, and MS-21.6

The species of trees to be planted shall be determined in consultation with the City Arborist and the Department of Planning, Building and Code Enforcement. Trees removed shall be replaced at the ratios listed in **Table 1**, or the applicant shall pay an in-lieu fee to Our City Forest to compensate for the loss of trees on site.

Table 1. City of San Jose Tree Replacement Ratios

Circumference of tree to be removed	Type of tree to be removed			Minimum size of replacement tree
	Native	Non-native	Orchard	
≥ 56 in	5:1	4:1	3:1	24-in box
38-56 in	3:1	2:1	None	24-in box
< 38 in	1:1	1:1	None	15-gal. container

x:x = tree replacement to tree loss ratio

Note: Trees greater than or equal to 56-inch trunk circumference shall not be removed unless a Tree

		<p>Removal Permit, or equivalent, has been approved for the removal of such trees.</p> <p>The project shall comply with the above listed city ordinance, Municipal Code, and General Plan policies to reduce impacts to trees to a less than significant level.</p> <p>Source: City of San Jose. Department of Planning, Building, and Code Enforcement. Tree Removal. Available at: http://www.sanjoseca.gov/index.aspx?NIID=3655. Last accessed: January 28, 2016.</p> <p>Appendix D</p>
<p>Explosive and Flammable Hazards 24 CFR Part 51 Subpart C</p>	<p>Yes No <input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>The project site is located in a residential area, zoned R-M - Multi-Family Residential. The project site is not located in close proximity to any explosive and flammable hazards.</p> <p>Source: City of San Jose. <i>Envision San Jose 2040 General Plan</i>. Available at: https://www.sanjoseca.gov/DocumentCenter/Home/View/474. Last accessed: January 29, 2016.</p> <p>Appendix D</p>
<p>Farmlands Protection Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658</p>	<p>Yes No <input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>The project is located in an urbanized, residential area of the City of San Jose. No federally designated Prime Farmland, Farmland of Statewide Importance, or Farmland of Local Importance is located on or near the project site. As such, the project would not affect farmlands.</p> <p>Source: United States Department of Conservation. Farmland Mapping and Monitoring Program, 2012. Available at: ftp://ftp.consrv.ca.gov/pub/dlrp/FMMP/pdf/regional/2012/bay_area_2012_fmmp_base.pdf. Last accessed: February 16, 2016.</p>
<p>Floodplain Management Executive Order 11988,</p>	<p>Yes No <input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>As stated above; according to the FEMA FIRM, and the EDR prepared for the project, the project site is located within a 500-year</p>

<p>particularly section 2(a); 24 CFR Part 55</p>		<p>flood zone, which has a 0.2 percent annual chance of flooding.</p> <p>The 500-year flood zone is considered a moderate-risk flood hazard area. Homes and businesses located in moderate- to low-risk areas are typically not federally required to have flood insurance.</p> <p>Source:</p> <p>Federal Emergency Management Agency (FEMA). Flood Insurance Rate Map (FIRM). Available at: http://map1.msc.fema.gov/idms/IntraView.cgi?KEY=87007069&IFIT=1. Last accessed: January 28, 2016.</p> <p>National Flood Insurance program. When Insurance is Required. January 2016. Residents of Moderate-to-Low Risk Areas. Available at: https://www.floodsmart.gov/floodsmart/pages/about/when_insurance_is_required.jsp. Last accessed: January 28, 2016.</p> <p>Appendix B Appendix D</p>
<p>Historic Preservation</p> <p>National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>The project site is vacant under existing conditions; no Santa Clara County or City of San Jose historic buildings or historic landmarks occur within the project vicinity. A Cultural Resources Assessment prepared for the project in November 2015 determined that:</p> <ul style="list-style-type: none"> • No prehistoric or combined prehistoric or historic era sites have been recorded or reported in or adjacent to the proposed project Area of Potential Effect (APE) or within 0.25 miles of the project site. • No prehistoric or combined prehistoric/historic archaeological resources, possible ethnographic and/or contemporary resources (e.g., quarry, basketry materials, water, etc.) were noted during the field survey conducted within the APE. • No known ethnographic or

		<p>contemporary Native American resources, including villages, sacred places, traditional or contemporary use areas, have been identified in or adjacent to the APE.</p> <ul style="list-style-type: none">• No known potential Hispanic or American Period archaeological resources have been recorded or reported in or adjacent to the APE as a result of the records search, literature review and or field survey. The APE was historically used for agricultural uses and most recently contained a single-family dwelling which has been demolished.• No known local, National Register of Historic Places (NRHP), or California Register of Historical Resources (CRHR) listed, determined eligible, or pending properties were identified in or are adjacent to the APE.• The historic archaeological potential appears low due to the former agrarian use of the project and vicinity. Historic surface and subsurface impacts within the APE have included subsurface infrastructure and the former presence of a single-family residence. Based on previous subsurface impacts and the project's anticipated subsurface impacts, the potential for exposing significant archaeological materials appears very low within both the horizontal and vertical APE. <p>No historic properties or resources would be affected by project implementation. While the project does have a low potential to disturb as-yet-unknown prehistoric and historic resources, any post-review discoveries of cultural resources would be treated in accordance with 36 CFR 800.13. Treatment of prehistoric Native American burials would be conducted in accordance with California State Law (Section 7050.5 of the California Health and Safety Code and Sections 5097.94 and 5097.98 of the Public</p>
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		<p>Resources Code).</p> <p>Source:</p> <p>Advisory Council on Historic preservation. Protection of Historic Properties. August, 2004. Available at: http://www.achp.gov/regs-rev04.pdf. Last accessed: January 28, 2016.</p> <p>State of California. California Health and Safety Code, Section 7050.5, and the California Public Resources Code, Sections 5097.94 and 5097.98. Available at: http://www.leginfo.ca.gov/cgi-bin/displaycode?section=hsc&group=07001-08000&file=7050.5-7055. Last accessed: January 28, 2016.</p>
<p>Noise Abatement and Control</p> <p>Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>The project would conform to the HUD standards set forth in 24 CFR Part 51 Subpart B.</p> <p>A noise and vibration report was prepared for the project by Illingworth and Rodkin in December 2015. The report confirms that noise resulting from both construction and operation, associated with the proposed project, would be below thresholds established 24 CFR 51B.</p> <p>24 CFR 51B establishes an acceptable exterior noise level of 65 decibels (dBA) over a 24-hour day/night average (DNL), and an interior noise level goal of 45 dBA DNL.</p> <p><u>Existing Noise Conditions</u></p> <p>Noise generated in the project vicinity is generally the result of traffic on Gallup Drive and Blossom Hill Road. A noise monitoring survey completed for the project included four noise measurements taken from the project site: two long-term noise measurements (LT-1 and LT-2) and two short-term noise measurements (ST-1 and ST-2). The DNL levels recorded for each long-term noise measurement, as well as the noise level equivalents (L_{eq}) for the short-term noise measurements are shown below:</p> <ul style="list-style-type: none"> • LT-1: 65 dBA DNL

		<ul style="list-style-type: none"> • LT-2: 63 dBA DNL • ST-1: 50 dBA L_{eq} • ST-2: 55 dBA L_{eq} <p><u>Exterior Noise Conditions with Project Implementation</u></p> <p>The future noise environment at the site would continue to result primarily from vehicle traffic along local roadways. Information in the Environmental Noise Assessment prepared for the General Plan shows future noise levels along roadway segments in the project area remaining about the same as existing levels. As of yet, there are no site plans or building plans for the property, so a set of credible worst-case assumptions have been assumed for the analysis.</p> <p>Assuming building façades are located at least 30 feet from the center of adjacent streets, exterior noise levels at the all first floor building façades are likely to be 65 dBA DNL or lower. The future noise exposure at upper floors is typically 1-2 dBA DNL higher than the ground floor because of better sight lines to noise sources and less attenuation of the noise by the ground. The project proposes to orient the common open space away from the intersections. As proposed, the open space will be shielded by the building and will attain 60 dBA DNL. This would conform to both the City of San Jose General Plan Policy EC-1.1 and the HUD standard.</p> <p><u>Interior Noise Conditions with Project Implementation</u></p> <p>Residential exterior building façades would be exposed to noise levels of up to 65-67 dBA DNL, which are above acceptable noise levels for residential interiors. The specific noise exposures cannot be determined at this time because site and building plans have not been developed. Standard California residential construction typically includes an insulated wood stud wall with wood, composite, or stucco exterior treatment and</p>
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	<p>gypsum board on the interior surface. Solid entry doors, sliding patio doors, and operable or fixed windows account for a percentage of the overall exterior of the building.</p> <p>The indoor noise reduction, compared to outdoor areas, assuming the windows are closed, typically falls in the range of 20-25 dBA if special noise control elements are not included. The HUD guidelines assume a credible minimum noise reduction of 20 dBA. Given that the exterior noise levels are expected to range from 65-67 dBA DNL, interior noise levels could exceed the allowable level of 45 dBA DNL by up to 2 dBA. The predicted exterior noise level at the façades of the nearest residential units at the perimeter of the site would be considered “normally unacceptable” and would require an additional 5 dBA of attenuation (65 – 70 dBA DNL zone) in interior spaces. The project proposes to use forced air mechanical ventilation for units and the use of sound-rated windows and doors, which would ensure interior noise levels would meet the standard.</p> <p>The project proposes to include sound attenuation measures into the design of exterior shells of the buildings that provide an additional 5 dBA of attenuation over that typically provided by standard construction, resulting in an outdoor-to-indoor noise reduction of at least 25 dBA. This would be accomplished through the proper specification of windows and doors during project design. In the site’s noise exposure, standard wall construction including windows and doors with Sound Transmission Class ratings of 26 – 28 are typically sufficient to achieve the required level of attenuation.</p> <p>As stated above, as proposed, the project would conform to HUD standards established by 24 CFR 51B.</p> <p><u>Maintaining Interior Noise Standards</u></p> <p>In addition to the attenuation measures noted</p>
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		<p>above in the 24 CFR 51B standards adherence, the following design measures would be included in the project to maintain interior noise levels at or below the 45 dBA standard:</p> <ul style="list-style-type: none"> • The specific determination of what noise insulation treatments are necessary would be conducted on a unit-by-unit basis. Results of the analysis, including the description of the necessary noise control treatments, would be submitted to the City along with the building plans and approved prior to issuance of a building permit. • Building sound insulation requirements would include the provision of forced-air mechanical ventilation for units throughout the site, so that windows could be kept closed at the occupant's discretion to control noise. • Sound rated windows and doors would be provided to maintain noise levels at acceptable levels. This can be accomplished through the proper specification of windows and doors during project design. In this noise exposure, standard wall construction including windows and doors with Sound Transmission Class ratings of 26 – 28 are typically sufficient to achieve the required level of attenuation. <p><u>Construction-related Noise</u></p> <p>Noise generated by construction activities at the site would not be expected to adversely affect adjacent land uses. Construction activities generate considerable amounts of noise, especially during earth moving activities when heavy equipment is used. The highest maximum noise levels generated by project construction would typically range from about 90 to 95 dBA at a distance of 50 feet from the noise source.</p> <p>Noise generated by construction activities would temporarily expose persons in the vicinity of the site to excessive ground borne</p>
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		<p>vibration or groundborne noise levels. Due to the short term nature of the construction-related noise impact, this would be considered less-than-significant assuming that construction activities are conducted in accordance with the provisions of the City of San Jose and with the implementation of the standard permit conditions below.</p> <p><u>Standard Permit Conditions:</u></p> <ul style="list-style-type: none">• Construction would be limited to the hours of 7:00 a.m. to 7:00 p.m. Monday through Friday for any on-site or off-site work within 500 feet of any residential unit, unless a development permit is obtained for construction outside of these hours.• Permitted work activities shall be conducted exclusively within the interior of enclosed building structures provided that such activities are inaudible to existing adjacent residential uses. Exterior generators, water pumps, compressors, and idling trucks are not permitted.• The developer shall be responsible for educating all contractors and subcontractors of said construction restrictions. Rules and regulation pertaining to all construction activities and limitations identified in this permit, along with the name and telephone number of a developer appointed disturbance coordinator, shall be posted in a prominent location at the entrance to the job site. The Director of Planning, at his discretion, may rescind provisions to allow extended hours of construction activities on weekends upon written notice to the developer.• The contractor shall use "new technology" power construction equipment with state-of-the-art noise shielding and muffling devices. All internal combustion engines used on the project site shall be equipped with adequate mufflers and shall be in good
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		<p>mechanical condition to minimize noise.</p> <ul style="list-style-type: none"> • Stationary noise generating equipment would be located as far as possible from sensitive receptors. Staging areas shall be located a minimum of 200 feet from noise sensitive receptors, such as residential uses. • The developer would implement the measures to minimize construction noise impacts on the surrounding sensitive land uses to the fullest extent possible. The measures may include, but not be limited to, the following: <ul style="list-style-type: none"> ○ Early and frequent notification and communication with the neighborhood of the construction activities and construction schedule. ○ If impact equipment (e.g., jack hammers, pavement breakers, rock drills) is needed during Project construction, hydraulically or electric-powered equipment shall be used wherever feasible to avoid the noise associated with compressed-air exhaust from pneumatically powered tools. However, where use of pneumatically powered tools is unavoidable, an exhaust muffler on the compressed-air exhaust shall be used. External jackets on the tools themselves shall also be used if available and feasible. ○ Equipment at the work area would be strategically located to maximize the distance to noise-sensitive receptors and to take advantage of any shielding that may be provided by other on-site equipment. ○ A “noise disturbance coordinator” would be designated who would be responsible for responding to any local complaints about construction noise. The disturbance coordinator would determine the cause of the noise complaints (e.g., beginning work too early, bad muffler, etc.)
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		<p>and institute reasonable measures warranted to correct the problem. A telephone number for the disturbance coordinator would be conspicuously posted at the construction site.</p> <p><u>Construction-related Vibration Impacts</u></p> <p>No sensitive historic buildings that are documented to be structurally weakened adjoin the project site, and are therefore not considered in this analysis of vibration impacts.</p> <p>Pursuant to the City of San Jose General Plan Policy EC-2.3, a vibration limit of 0.2 in/sec PPV will be used to minimize potential for cosmetic damage at buildings of normal conventional construction.</p> <p>Groundborne vibration levels exceeding 0.2 in/sec PPV would have the potential to result in a significant vibration impact at adjacent off-site residential buildings. Project construction activities such as drilling, the use of jackhammers, rock drills and other high-power or vibratory tools, and rolling stock equipment may generate substantial vibration in the immediate vicinity of the work area. Jackhammers typically generate vibration levels of 0.035 in/sec PPV and drilling typically generates vibration levels of 0.09 in/sec PPV at a distance of 25 feet. Vibration levels would vary depending on soil conditions, construction methods, and equipment used. Vibration levels from typical construction activities would be expected to be below 0.2 in/sec PPV, below the 0.2 in/sec PPV significance thresholds. Vibration generated by construction activities near the common property line would at times be perceptible, however, would not be expected to result in "architectural" damage to these buildings.</p> <p>The proposed project would temporarily generate construction-related noise and groundborne vibration. However, with adherence to the best management practices</p>
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		<p>(BMPs) listed above, the project would conform to 24 CFR 51 B.</p> <p>Source: City of San Jose. <i>Envision San Jose 2040 General Plan</i>. Available at: https://www.sanjoseca.gov/DocumentCenter/Home/View/474. Last accessed: January 29, 2016.</p> <p>Appendix F</p>
<p>Sole Source Aquifers Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149</p>	<p>Yes No <input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>There are no aquifers subject to the Safe Drinking Water Act or 40 CFR Part 149 within Santa Clara County, where the proposed project site is located. Therefore, the project would not affect any Sole Source Aquifers, and no mitigation is required.</p> <p>Source: Environmental Protection Agency. <i>Ground Water: Sole Source Aquifers in Region 9</i>. December, 2015. Available at: http://www3.epa.gov/region9/water/groundwater/ssa.html. Last accessed: January 29, 2016.</p>
<p>Wetlands Protection Executive Order 11990, particularly sections 2 and 5</p>	<p>Yes No <input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>According to a Biological Resources Memorandum prepared for the project site in 2015, the site is currently vacant, and no wetlands occur on site or within the project vicinity. The project would not affect any wetlands or riparian zones.</p> <p>Source: City of San Jose. <i>Envision San Jose 2040 General Plan</i>. Available at: https://www.sanjoseca.gov/DocumentCenter/Home/View/474. Last accessed: January 29, 2016.</p> <p>Appendix F City of San Jose. <i>Envision San Jose 2040 General Plan DEIR</i>. Biological Resources: Figure 3.5-1, Generalized Habitat Map. August 2010.</p>

Wild and Scenic Rivers Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	No Wild or Scenic Rivers are located in Santa Clara County; therefore, the Wild and Scenic Rivers Act does not apply to the project and no mitigation is required. <i>Source:</i> National Wild and Scenic Rivers System. Wild and Scenic Rivers in California. Available at: http://www.rivers.gov/california.php . Last accessed: January 29, 2016.
ENVIRONMENTAL JUSTICE		
Environmental Justice Executive Order 12898	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	According to the EPA's Environmental Justice Program CalEnviroScreen Version 2.0, the project site is located in a low-income and minority area; however, the neighborhood does not suffer from disproportionate environmental justice effects relative to the regional area. The project itself would not raise environmental justice issues as no feature of the proposed project would create or contribute to a disparity in either social or economic form. The proposed project would provide affordable housing to eligible demographic groups. The project does not pose potential new disproportionately high and adverse human health and environmental effects on minority or low-income populations. <i>Source:</i> Environmental Protection Agency. EJSCREEN: Environmental Justice Screening and Mapping Tool. Available at: http://www.epa.gov/ejscreen . Environmental Protection Agency. Environmental Justice Program: CalEnviroScreen Version 2.0. Available at: http://www.calepa.ca.gov/EnvJustice/ . Last accessed: January 29, 2016. Appendix G

Environmental Assessment Factors [24 CFR 58.40; Ref. 40 CFR 1508.8 & 1508.27]:

Recorded below is the qualitative and quantitative significance of the effects of the proposal on the character, features and resources of the project area. Each factor has been evaluated and

documented, as appropriate and in proportion to its relevance to the proposed action. Verifiable source documentation has been provided and described in support of each determination, as appropriate. Credible, traceable, and supportive source documentation for each authority has been provided. Where applicable, the necessary reviews or consultations have been completed and applicable permits of approvals have been obtained or noted. Citations, dates/names/titles of contacts, and page references are clear. Additional documentation is attached, as appropriate. **All conditions, attenuation, or mitigation measures have been clearly identified.**

Impact Codes: Use an impact code from the following list to make the determination of impact for each factor.

- (1) Minor beneficial impact
- (2) No impact anticipated
- (3) Minor Adverse Impact – May require mitigation
- (4) Significant or potentially significant impact requiring avoidance or modification which may require an Environmental Impact Statement

Environmental Assessment Factor	Impact Code	Impact Evaluation
LAND DEVELOPMENT		
Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design	2	<p>The General Plan designates the project site as Urban Residential and the project site is zoned R-M (Multi-Family Residential). The General Plan land use designation allows for medium density residential development; 30-95 DU/AC on the site. The proposed development, at a density of 70 DU/AC, is within the allowable density range for the site.</p> <p>Proposed development will be designed to meet the development standards for RM-Multi-family zoning district. The proposed buildings would comply with building setbacks as provided in table 20-60 of the Zoning Ordinance, R-M district, which include 15 feet in the front, 15 feet in the rear and up to 7.5 feet on the side of the lot. The height of the buildings on site would be up to 45 feet (three stories) as per the development standards of this zoning district. The project would meet all relevant General Plan policies, residential design guidelines, lighting policies, etc., and will be compatible with the surrounding development.</p> <p>Standard Permit Conditions: The project would implement the following standard permit conditions:</p> <ul style="list-style-type: none"> • Design of the project shall conform to the City's Residential Design Guidelines. • Lighting on the site shall conform to the City's Outdoor Lighting Policy (4-3).

		<p>Source: City of San Jose. <i>Envision San Jose 2040 General Plan</i>. Available at: https://www.sanjoseca.gov/DocumentCenter/Home/View/474. Last accessed: January 29, 2016.</p>
Soil Suitability/ Slope/ Erosion/ Drainage/ Storm Water Runoff	3	<p>Slope According to the elevation profile of the project site, the project site is located in a relatively flat region of the City, and therefore would not susceptible to slope instabilities.</p> <p>Erosion The site is located in an urban area, and surrounded predominantly by impervious surfaces. The project site was previously developed with residential units and the associated impervious surfaces. Given this, the proposed project would not substantially alter the project site beyond which it was developed previously. Due to the urban characteristics of the project site, no significant erosion would occur with project implementation.</p> <p>Drainage/Stormwater Runoff To comply with the City's policies regarding post-construction Urban Runoff Management (6-29) and Hydromodification Management (8-14), any submitted project plans would need to include sufficient stormwater management plans, including drainage features such as bioretention treatment areas.</p> <p>The project would not disturb 1 acre of land; however, future development would be required to comply with City Municipal Code Title 20 Zoning by enforcing the National Pollutant Discharge Elimination System (NPDES) Permit as well as the Stormwater Pollution Prevention Plan (SWPPP) through the San Francisco Bay Regional Water Quality Control Board (RWQCB).</p> <p>The project would be consistent with the applicable General Plan policies ER-8.1, ER-8.3, ER-8.5, EC-5.16, and EC-7.10, described in the attached water quality assessment. A Stormwater Management Plan, including proposed stormwater treatment facilities, would be submitted to the City for approval before issuance of a construction permit. Therefore, water quality impacts associated with project implementation would not be significant.</p> <p>Standard Permit Conditions: Implementation of the following measures, consistent with NPDES Permit and City Policy requirements, would reduce potential construction impacts on surface water quality to less-than-significant</p>

		<p>levels:</p> <p><u>Construction Measures:</u></p> <ul style="list-style-type: none"> • Prior to the commencement of any clearing, grading, or excavation, the project shall comply with the State Water Resources Control Board (SWRCB) NPDES Construction General Permit, as follows: <ul style="list-style-type: none"> ○ The applicant shall file a Notice of Intent (NOI) with the SWRCB. ○ The applicant shall develop, implement, and maintain a SWPPP to control the discharge of stormwater pollutants including sediments associated with construction activities. The SWPPP shall identify current construction-period BMPs, as described in the CASQA Construction Handbook (August 2011). • The project applicant shall comply with the City of San Jose Grading Ordinance, including implementing erosion and dust control during site preparation and with the City of San Jose Zoning Ordinance requirements for keeping adjacent streets free of direct and mud during construction. Typical measures that will be implemented to prevent stormwater pollution and minimize potential sedimentation during construction include but are not limited to: <ul style="list-style-type: none"> ○ Utilize on-site sediment control BMPs to retain sediment on the project site. ○ Utilize stabilized construction entrances and/or wash racks. ○ Implement damp street sweeping. ○ Provide temporary cover of disturbed surfaces to help control erosion during construction. ○ Provide permanent cover to stabilize the disturbed surfaces after construction has been completed. <p><u>Post-Construction</u></p> <ul style="list-style-type: none"> • The project shall comply with applicable provisions of the following City Policies: City Council Policy 6-29 Post-Construction Urban Runoff Management and City Council Policy 8-14 Post-Construction Hydromodification Management. • Details of specific site design, pollutant source control, and stormwater treatment control measures demonstrating compliance with Provision C.3 of the Municipal Regional Stormwater Permit (NPDES Permit
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		<p>Number CAS612008), shall be included in the project design, to the satisfaction of the Director of Planning, Building, and Code Enforcement.</p> <p>Source:</p> <p>City of San Jose. Envision San Jose 2040 General Plan. Available at: https://www.sanjoseca.gov/DocumentCenter/Home/View/474. Last accessed: January 29, 2016.</p> <p>City of San Jose. Department of Planning, Building and Code Enforcement. Zoning Ordinance (Title 20). Available at: http://www.sanjoseca.gov/index.aspx?NID=1751. Last accessed: January 29, 2016.</p> <p>Appendix H</p>
Hazards and Nuisances including Site Safety and Noise	3	<p>The project site is located in the seismically active San Francisco Bay Area. According to the United States Department of Conservation, the project site is located within a fault zone, liquefaction zone, and a landslide zone. The potential for geologic impacts resulting from conditions on the site can be mitigated by using standard engineering and construction techniques. The project would comply with all applicable City building requirements and State accessibility requirements as outlined in the California Building Code. The City would verify compliance with these provisions prior to the issuance of all building permits. Minor adverse impacts are anticipated due to construction-related noise.</p> <p>As stated above, the project would not introduce toxic or hazardous materials to the project vicinity. The project would not entail the routine use, transport, or disposal of hazardous materials as part of its day-to-day operations. No substantial quantities of hazardous materials would be stored on-site during operation, save for small amounts of common cleaning and landscaping products that are typically found in most residences, commercial buildings, and institutional facilities. Any hazardous substances, including asbestos, lead, and impacted soils would be removed from the project site, as per the Hazardous Materials and Site Mitigation Programs established by the Santa Clara County Department of Environmental Health.</p> <p>As stated above in Noise Abatement and Control, the project would conform to the HUD standards set forth in 24 CFR Part 51 Subpart B. Additionally, the project would be compliant with the standards established by the CEQA</p>

		<p>Guidelines. The above-mentioned project design measures would reduce any anticipated noise impacts at the project site to a less-than-significant level.</p> <p>Standard Permit Conditions: The following standard permit conditions would apply to the project.</p> <ul style="list-style-type: none"> • The proposed structures on the site would be designed and constructed in conformance with the Uniform Building Code Guidelines for Seismic Zone 4 to avoid or minimize potential damage from seismic shaking on the site. • A soil investigation report addressing the potential hazard of liquefaction must be submitted to, and reviewed and approved by the City Geologist prior to issuance of a grading permit or Public Works Clearance. The investigation should be consistent with the guidelines published by the State of California (CDMG Special Publication 117) and the Southern California Earthquake Center (SCEC) report. <p>Source:</p> <p>U.S Department of Conservation, 2015. CGS Information Warehouse: Regulatory Maps. Available at: http://maps.conservation.ca.gov/cgs/informationwarehouse/index.html?map=regulatorymaps.</p> <p>County of Santa Clara, Department of Environmental Health, 2016. Hazardous Materials and Site Mitigation Programs. Available at: https://www.sccgov.org/sites/hazmat/programs/Pages/home.aspx. Last accessed: January 28, 2016.</p> <p>City of San Jose. Envision San Jose 2040 General Plan. Available at: https://www.sanjoseca.gov/DocumentCenter/Home/View/474. Last accessed: January 29, 2016.</p> <p>Appendix B Appendix F</p>
Energy Consumption	3	<p>The construction of the project site would involve the dedication of non-renewable energy resources.</p> <p>Construction of the project would require energy for off-road equipment operation, vendor and construction worker vehicle trips, and demolition haul trips. Once constructed, the project would increase energy demand for electricity, natural gas, and gasoline for increased motor vehicle trips.</p> <p>Gas and electric services would require the extension of electrical and gas utility lines from the existing service lines; although it is not anticipated that off-site improvements of</p>

		<p>these service lines would be necessary. The distribution systems that would serve the project are designed to adequately serve the energy demands from projected development within the neighborhood. Furthermore, the project is required by law to comply with the California Energy Commission's Building Energy Efficiency Standards (Title 24), which would reduce the project's potential to use energy in an inefficient or wasteful manner. Therefore, the project's impact on energy supplies would be less than significant.</p> <p>Source:</p> <p>California Energy Commission. Building Energy Efficiency Standards for Residential and Nonresidential Buildings. June 2015. Available at: http://www.energy.ca.gov/2015publications/CEC-400-2015-037/CEC-400-2015-037-CMF.pdf. Last accessed: January 29, 2016.</p>
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Environmental Assessment Factor	Impact Code	Impact Evaluation
SOCIOECONOMIC		
Employment and Income Patterns	2	The project proposes to construct 25 affordable housing dwelling units in an area of the City that would be well-served by more affordable housing units; therefore, the project would have a beneficial impact on employment and income patterns. The project does not include any plans to either create/remove commercial or retail uses that could impact employment or income patterns in the project vicinity.
Demographic Character Changes, Displacement	2	<p>Demographic Character Changes</p> <p>The project site is currently vacant, and the proposed 25 dwelling units are consistent with the General Plan and neighborhood characteristics. The project has the potential to result in slight demographic character changes due to the affordable housing element of the project. The proposed project would provide a supportive housing development intended to serve mainly single people who were chronically limited by existing housing prices. It is anticipated that many, and possibly most, of the residents' monthly income would be limited.</p> <p>The proposed housing development would be occupied by approximately 80 residents in need of affordable housing. However this population growth, of approximately 80</p>

		<p>people, would not be substantial in the context of the projected population in the city. Growth from the General Plan is anticipated to continue through 2035, with population within San Jose reaching approximately 1,356,600 people by 2035. Given this, the additional 80 residents generated by the project would not represent a significant demographic change.</p> <p>Displacement</p> <p>The project site is vacant under existing conditions. Therefore, no displacement would occur as a result of the project.</p> <p>Source:</p> <p>Environmental Protection Agency. EJSCREEN: Environmental Justice Screening and Mapping Tool. Available at: http://www.epa.gov/ejscreen.</p> <p>Environmental Protection Agency. Environmental Justice Program: CalEnviroScreen Version 2.0. Available at: http://www.calepa.ca.gov/EnvJustice/. Last accessed: January 29, 2016.</p> <p>City of San Jose, 2011. <i>Envision San Jose 2040 General Plan</i>. Table 3.14-2, Population and Housing Estimates and Projections.</p> <p>Appendix G</p>
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Environmental Assessment Factor	Impact Code	Impact Evaluation
COMMUNITY FACILITIES AND SERVICES		
Educational and Cultural Facilities	3	<p>Information obtained from public service departments for the proposed project determined that a less-than-significant impact to public services would result from project implementation.</p> <p>According to the San Jose Unified School District (SJUSD), single family dwelling units of the project's size would generate approximately five elementary school students, two middle school students, and three high school students. The existing schools and accompanying staff would be able to provide for any students associated with project buildout. Additionally, with adherence to Senate Bill 50 and the associated developer fees to SJUSD, no impacts to Educational Facilities are anticipated.</p> <p>Standard Permit Conditions: In accordance with California Government Code Section 65996, the developer</p>

		<p>shall pay a school impact fee to the SJUSD to offset the increased demands on school facilities caused by the proposed project.</p> <p>Source: Brunner, Eric. Financing School Facilities in California. October, 2006. Quinnipiac University, Department of Economics. Available at: https://cepa.stanford.edu/sites/default/files/6-Brunner (3-07).pdf. Last accessed: January 29, 2016.</p> <p>Appendix H</p>
Commercial Facilities	3	<p>The addition of 25 dwelling units would generate approximately 80 residents to the Hoffman/Via Monte neighborhood. It is not anticipated that this small, localized population increase would generate increased use of nearby commercial facilities to where significant deterioration would occur.</p> <p>Source: Appendix H</p>
Health Care and Social Services	3	<p>The addition of 25 dwelling units would generate approximately 80 residents to the Hoffman/Via Monte neighborhood. It is not anticipated that this small, localized population increase would generate increased use of nearby health care and social service facilities to where significant deterioration would occur.</p> <p>Source: Appendix H</p>
Solid Waste Disposal / Recycling	3	<p>An assessment of public services and utilities determined that implementation of the project would not result in significant adverse impacts on utilities and public services in the City or require the construction of new facilities to serve the resident population of the City. Solid waste and recycling facilities would also be accommodated on the project site, as per standards established and approved by the City.</p> <p>Source: Appendix H</p>
Waste Water / Sanitary Sewers	3	<p>An assessment of public services and utilities determined that implementation of the project would not result in significant adverse impacts on utilities and public services in the City or require the construction of new facilities to serve the resident population of the City. The project site would use the City's existing water and wastewater lines to</p>

		<p>provide utility services to the proposed development.</p> <p>Source: Appendix H</p>
Water Supply	3	See Waste Water/Sanitary Sewers above.
Public Safety - Police, Fire and Emergency Medical	3	<p>Implementation of the project would not generate a demand for increased fire protection, police protection, or emergency medical services that would require additional staff, facilities, or equipment. The project site is currently served by Fire Station 13 of the San Jose Fire Department (SJFD), which would continue to provide emergency services after project construction. The proposed development of the site would not increase the demand for fire services beyond existing conditions. The project would be required to comply with the Municipal Fire Code and building design standards of the SJFD.</p> <p>The project site is directly served by the District A patrol of the San Jose Police Department (SJPD) Southern Division, which includes six patrol officers. Construction of a new residential building at the project site would not substantially change police protection needs following implementation of the project.</p> <p>Source: Appendix H</p>
Parks, Open Space, and Recreation	3	<p>The City's Parks, Recreation, and Neighborhood Services Department is responsible for the development, operation, and maintenance of public parks and facilities. According to the <i>Envision San Jose 2040 General Plan Draft Program Environmental Impact Report</i> (DEIR), the City owns 180 neighborhood-serving parks, and nine regional parks. The closest park to the project site is De Anza Park, located approximately 1 mile southwest of the project site. De Anza Park is a 9.6-acre park with public amenities, including picnic sites, and recreational facilities. Given that the project would only generate approximately 80 residents to the Hoffman/Via Monte neighborhood, impacts to parks, open space, and recreational areas are not anticipated to be significant to the point at which deterioration of public facilities occurs.</p> <p>Standard Permit Conditions: The project shall conform to the City's Park Impact Ordinance and Parkland Dedication Ordinance (Municipal Code Chapter 19.38).</p> <p>Source: Appendix H</p>

Transportation and Accessibility	3	<p>The project would not generate any significant impacts relating to traffic. Trip generation estimates show that the project would add approximately 166 daily trips to and from the project site; 13 during the morning peak hour (between 07:30 AM and 08:30 AM) and 16 during the afternoon peak hour (between 04:30 PM and 05:30 PM). Based on the project's small scope, including the small number of dwelling units proposed and the low number of projected trips estimated with project implementation, no Traffic Impact Analysis is warranted by the San Jose Department of Planning, Building, and Code Enforcement.</p> <p>Source: Appendix H</p>
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Environmental Assessment Factor	Impact Code	Impact Evaluation
NATURAL FEATURES		
Unique Natural Features, Water Resources	2	<p>The project site is currently vacant, and contains no unique natural features or water resources.</p> <p>Source: City of San Jose. Department of Planning, Building, and Code Enforcement. Tree Removal. Available at: http://www.sanjoseca.gov/index.aspx?NID=3655. Last accessed: January 28, 2016. City of San Jose. Envision San Jose 2040 General Plan. Available at: https://www.sanjoseca.gov/DocumentCenter/Home/View/474. Last accessed: January 29, 2016. Environmental Protection Agency. Ground Water: Sole Source Aquifers in Region 9. December, 2015. Available at: http://www3.epa.gov/region9/water/groundwater/ssa.html. Last accessed: January 29, 2016. City of San Jose. Envision San Jose 2040 General Plan DEIR. Biological Resources: Figure 3.5-1, Generalized Habitat Map. August 2010. National Wild and Scenic Rivers System. Wild and Scenic Rivers in California. Available at: http://www.rivers.gov/california.php. Last accessed: January 29, 2016.</p> <p>Appendix E</p>

Vegetation, Wildlife	3	<p>The project site is currently vacant, and contains no special-status plants or wildlife species.</p> <p>Out of a total of 15 trees on site, 10 would require permits for their removal, as per the tree removal controls in the City of San Jose's Municipal Code (Chapter 13.32).</p> <p>A tree removal permit would be obtained from the City prior to construction. No mitigation measures are required.</p> <p>Source:</p> <p>City of San Jose. Department of Planning, Building, and Code Enforcement. Tree Removal. Available at: http://www.sanjoseca.gov/index.aspx?NID=3655. Last accessed: January 28, 2016.</p> <p>City of San Jose. Envision San Jose 2040 General Plan. Available at: https://www.sanjoseca.gov/DocumentCenter/Home/View/474. Last accessed: January 29, 2016.</p> <p>Environmental Protection Agency. Ground Water: Sole Source Aquifers in Region 9. December, 2015. Available at: http://www3.epa.gov/region9/water/groundwater/ssa.html. Last accessed: January 29, 2016.</p> <p>City of San Jose. Envision San Jose 2040 General Plan DEIR. Biological Resources: Figure 3.5-1, Generalized Habitat Map. August 2010.</p> <p>National Wild and Scenic Rivers System. Wild and Scenic Rivers in California. Available at: http://www.rivers.gov/california.php. Last accessed: January 29, 2016.</p> <p>Appendix E</p>
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Additional Studies Performed:

- Air Quality and Greenhouse Gas Emissions Assessment
- Phase I ESA and EDR Search
- Biological Resources Assessment
- Noise Assessment

Field Inspection (Date and completed by): January 2, 2015, Eric L. Calleja

List of Sources, Agencies, and Persons Consulted [40 CFR 1508.9(b)]:
See **Source Documentation List** below.

List of Permits Obtained: Site Development Permit, Grading Permits, Building Permits, Tree Removal Permits

Public Outreach [24 CFR 50.23 & 58.43]: Public outreach efforts will be performed by the City of San Jose through noticing of the Notice To Request Release Of Funds/Finding Of No Significant Impact.

Cumulative Impact Analysis [24 CFR 58.32]:

The Council on Environmental Quality's (CEQ) regulations (40 CFR Parts 1500-1508) implementing the procedural provisions of NEPA define a cumulative impact as "the impact on the environment which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions, regardless of what agency...or person undertakes such other actions" (40 CFR 1508.7). The cumulative setting for this document includes the past, present, and future projects considered in the General Plan, identified in the table below. The proposed project is included in this analysis, as it is consistent with the zoning and land use designations outlined in the General Plan, and therefore compensated for in the General Plan buildout.

Cumulative Projects in the San Jose Envision 2040 General Plan

Project Name	
1	BART Extension to Silicon Valley
2	California High Speed Rail
3	Diridon Station Plan
4	San Jose/Santa Clara Water Pollution Control Plant Master Plan
5	San Jose International Airport Master Plan
6	Heritage Oaks General Plan Amendment (Calero and Coyote Valley Planning Areas)
7	City of Santa Clara General Plan Update
8	City of Sunnyvale General Plan Update
9	San Jose City and Evergreen Valley College Master Plans
10	San Jose State University Master Plans
11	School Districts Project
12	Santa Clara Valley Habitat Conservation Plan
13	Newby Island Landfill Expansion
14	South Bay Salt Ponds Restoration Project
15	Valley Medical Health System Measure A Improvements
16	Morgan Hill Downtown Plan and Circulation Element Update
17	Morgan Hill Southeast Quadrant Project
18	U.S. 101 Improvements between Monterey Road in Gilroy and State Route 129

Given the above projects considered in the cumulative scenario, the General Plan identifies significant cumulative impacts to the following environmental areas:

- Land Use
- Transportation
- Noise and Vibration
- Air Quality and Greenhouse Gas Emissions
- Biological Resources

- Aesthetics
- Population and Housing

The proposed project would not considerably contribute to the cumulatively significant impacts associated with the General Plan buildout as explained below:

Land Use

The project is consistent with the General Plan's 'Urban Residential' land use designation, as well as the R-M Zoning. The project would include the construction of up to 25 dwelling units with accompanying on-site landscaping and parking. The height of the buildings on site would be up to 45 feet, or three stories, as per the R-M zoning standards.³ Given that the project adheres to the land use/zoning designations established in the General Plan, and that no impacts to land use would occur with project implementation, the project's cumulative contribution to cumulatively significant land use impacts would be less than significant.

Transportation

The project would not generate any significant impacts relating to traffic. According to The City's Transportation Level of Service Policy (Council Policy 5-3), an infill project proposing 25 attached multifamily residential units is exempted from this Policy, because the Council finds that these projects, individually and cumulatively, will not cause a significant degradation of transportation level of service and subject projects will further other City goals and policies. Based on the project's small scope; including the small number of dwelling units proposed, and the low number of projected trips estimated with project implementation, no Traffic Impact Analysis is warranted by the San Jose Department of Planning, Building, and Code Enforcement. Given that the project would not independently result in a significant impact to transportation/traffic, the project's cumulative contribution to cumulatively significant transportation impacts would be less than significant.

Noise and Vibration

As stated above in **Noise Abatement and Control**, the project would temporarily generate construction-related noise above the standards established by HUD (24 CFR 51B). However, with implementation of the design measures described above, any noise-related impacts associated with both construction and operation of the project would be reduced to a less-than-significant level. Given that the project would not independently result in a significant permanent impact to noise, the project's cumulative contribution to cumulatively significant noise impacts would be less than significant.

Air Quality and Greenhouse Gas Emissions

As stated above in **Clean Air**, the project is too small to exceed any of the significance thresholds established by BAAQMD, and would not expose sensitive receptors to substantial pollutant concentrations. Furthermore, adherence to and implementation of standard permit conditions discussed above would minimize air quality impacts. Given that the project would

³ City of San Jose. Code of ordinances. *Chapter 20.30: Residential Zoning Districts*. Available at: https://www.municode.com/library/ca/san_jose/codes/code_of_ordinances?nodeId=TIT20ZO_CH20.30REZODI. Last accessed: February 1, 2016.

not result in a significant impact to air quality, the project's cumulative contribution to cumulatively significant air quality impacts would be less than significant.

Biological Resources

As stated above in **Natural Features**, there are no special-status plant or animal species within the project vicinity, and no State or locally designated biological resources such as wetlands or riparian habitats in close proximity to the project site. There are 15 trees on site, 10 of which would require a tree-removal permit from the City prior to construction. With approval of the tree-removal permit, the project would have a less-than-significant impact on biological resources. Given this, the project's cumulative contribution to cumulatively significant impacts to biological resources would be less than significant.

Aesthetics

The project is consistent with the General Plan's land use designations, and would adhere to the height and setback restrictions established therein. Specific project plans, including design plans for the dwelling units, have not been submitted to the City as of yet. Although the project would require the removal of approximately 15 trees from the existing aesthetic setting, supplemental landscaping befitting the R-M zoning would likely be included in the project plans. Irrespective, any future project plans approved by the City would be consistent with the General Plan policies regarding aesthetics for R-M zoning; therefore, the project would comply with established standards, and any impacts to aesthetics would be considered less than significant. Given this, the project's cumulative contribution to cumulatively significant impacts to aesthetics would be less than significant.

Population and Housing

According to the General Plan DEIR, buildout of the General Plan would result in a larger jobs-housing imbalance than currently exists in the City of San Jose. The project proposes to construct 25 dwelling units of affordable housing, and does not propose any commercial/retail uses that would provide additional employment opportunities in the neighborhood. Due to the small size of the project, any impacts to the existing jobs-housing imbalance within the City would be less than significant. Indirect effects to environmental factors such as air quality and energy resulting from the construction of additional housing are considered in this evaluation for HUD funding. Given this, the project's cumulative contribution to cumulatively significant impacts to population and housing would be less than significant.

Alternatives [24 CFR 58.40(e); 40 CFR 1508.9]:

Given that the project site is small, lacks significant resources, and would not likely be developed with more than 25 dwelling units, developing the site with a different configuration of units would yield a similar magnitude of impact to the physical environment as the Proposed Alternative. A Market Rate Alternative, where the site would be developed with a similar number of housing units which would not be designated as affordable housing, would not substantially change the project's physical environmental impacts. However, a Market Rate Alternative would not realize the benefits of affordable housing development. As such, the only practical alternative is a No Action Alternative, described below.

No Action Alternative [24 CFR 58.40(e)]:

Under the No Action Alternative, the housing project would not be implemented, and the existing parcel would remain vacant. Given the low-income demographic associated with the Hoffman/Via Monte neighborhood, there is a demonstrated need for more affordable housing. The Association of Bay Area Governments Regional Housing Needs Assessment (RHNA) projections for 2014-2022 estimate that San Jose will need approximately 14,661 new housing allocations for the 'Very Low' and 'Low' income demographic groups before 2022.⁴ The No Build Alternative does not address the need for more affordable housing within the City of San Jose, while the Build Alternative would provide affordable housing for approximately 80 residents.

Summary of Findings and Conclusions:

The project proposes to construct 25 dwelling units as affordable housing for qualifying residents such as low-income residents and the elderly. With implementation of the below-mentioned mitigation measures, the project would not generate any significant impacts requiring a higher level of environmental documentation.

Mitigation Measures and Conditions [40 CFR 1505.2(c)]

Summarize below all mitigation measures adopted by the Responsible Entity to reduce, avoid, or eliminate adverse environmental impacts and to avoid non-compliance or non-conformance with the above-listed authorities and factors. These measures/conditions must be incorporated into project contracts, development agreements, and other relevant documents. The staff responsible for implementing and monitoring mitigation measures should be clearly identified in the mitigation plan.

With adherence to City policies and standard permit conditions, discussed above, no mitigation measures would be required. The applicant shall be responsible for implementation of the standard permit conditions below. The applicant shall show compliance with standard permit conditions by submitting all applicable reports, contracts, site plans, and other relevant documentation to the Director of Planning, Building, and Code Enforcement for approval.

⁴ Association of Bay Area Governments. Regional Housing Need Plan, San Francisco Bay Area: 2014-2022. Available at: http://www.abag.ca.gov/files/ABAG_Final_RHNA_Publication.pdf. Last accessed: February 1, 2016.

Law, Authority, or Factor	Standard Permit Conditions
Air Quality	<p>The following standard permit conditions would be implemented during construction of the project to reduce impacts to air quality, greenhouse gases, and the associated health impacts to sensitive receptors:</p> <ul style="list-style-type: none"> • All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day. • All haul trucks transporting soil, sand, or other loose material off site shall be covered. • All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited. • All vehicle speeds on unpaved roads shall be limited to 15 miles per hour (mph). • All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used. • Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of the California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points. • All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation. • Post a publicly visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.
Hazards and Hazardous Materials	<ul style="list-style-type: none"> • Any hazardous substances, including asbestos, lead, and impacted soils would be removed from the project site, as per the Hazardous Materials and Site Mitigation Programs established by the Santa Clara County Department of Environmental Health.

Biological Resources	<p>Trees removed as a result of the project would be required to be replaced in accordance with all applicable laws, policies or guidelines, including:</p> <ul style="list-style-type: none">• City of San Jose Tree Protection Ordinance• San Jose Municipal Code Section 13.28• General Plan Policies MS-21.4, MS-21.5, and MS-21.6 <p>The species of trees to be planted shall be determined in consultation with the City Arborist and the Department of Planning, Building and Code Enforcement. Trees removed shall be replaced at the ratios listed in Table 1, or the applicant shall pay an in-lieu fee to Our City Forest to compensate for the loss of trees on site.</p> <p>Table 1. City of San Jose Tree Replacement Ratios</p> <table><tr><th rowspan="2">Circumference of tree to be removed</th><th colspan="3">Type of tree to be removed</th><th rowspan="2">Minimum size of replacement tree</th></tr><tr><th>Native</th><th>Non-native</th><th>Orchard</th></tr><tr><td>≥ 56 in</td><td>5:1</td><td>4:1</td><td>3:1</td><td>24-in box</td></tr><tr><td>38-56 in</td><td>3:1</td><td>2:1</td><td>None</td><td>24-in box</td></tr><tr><td>< 38 in</td><td>1:1</td><td>1:1</td><td>None</td><td>15-gal. container</td></tr></table> <p>x:x = tree replacement to tree loss ratio Note: Trees greater than or equal to 56-inch trunk circumference shall not be removed unless a Tree Removal Permit, or equivalent, has been approved for the removal of such trees.</p>	Circumference of tree to be removed	Type of tree to be removed			Minimum size of replacement tree	Native	Non-native	Orchard	≥ 56 in	5:1	4:1	3:1	24-in box	38-56 in	3:1	2:1	None	24-in box	< 38 in	1:1	1:1	None	15-gal. container
Circumference of tree to be removed	Type of tree to be removed			Minimum size of replacement tree																				
	Native	Non-native	Orchard																					
≥ 56 in	5:1	4:1	3:1	24-in box																				
38-56 in	3:1	2:1	None	24-in box																				
< 38 in	1:1	1:1	None	15-gal. container																				
Historic Preservation	<p>Although the potential to unearth historic resources during construction of the project is considered low, the following measures would be taken if any such artifacts are unearthed during earth-moving activities:</p> <ul style="list-style-type: none">• Any post-review discoveries of cultural resources would be treated in accordance with 36 CFR 800.13.• Treatment of prehistoric Native American burials would be conducted in accordance with California State Law (Section 7050.5 of the California Health and Safety Code and Sections 5097.94 and 5097.98 of the Public Resources Code). <p><u>Archaeological Resources.</u> There shall be monitoring of site excavation activities to the extent determined by a qualified professional archaeologist to be necessary to insure accurate evaluation of potential impacts to prehistoric resources.</p> <ul style="list-style-type: none">• If no resources are discovered, the archaeologist shall submit a report to the Director of Planning verifying that the required monitoring occurred and																							

	<p>that no further mitigation is necessary.</p> <ul style="list-style-type: none">• If evidence of any archaeological, cultural, and/or historical deposits are found, hand excavation and/or mechanical excavation will proceed to evaluate the deposits for determination of significance as defined by CEQA guidelines. The archaeologist shall submit reports, to the satisfaction of the Director of Planning, describing the testing program and subsequent results. These reports shall identify any program mitigation that the Developer shall complete in order to mitigate archaeological impacts (including resource recovery and/or avoidance testing and analysis, removal, reburial, and curation of archaeological resources.)• In the event that human remains and/or cultural materials are found, all project-related construction shall cease within a 50-foot radius in order to proceed with the testing and mitigation measures required. Pursuant to Section 7050.5 of the Health and Safety Code and Section 5097.94 of the Public Resources Code of the State of California:• In the event of the discovery of human remains during construction, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains. The Santa Clara County Coroner shall be notified and shall make a determination as to whether the remains are Native American. If the Coroner determines that the remains are not subject to his authority, he shall notify the Native American Heritage Commission who shall attempt to identify descendants of the deceased Native American. If no satisfactory agreement can be reached as to the disposition of the remains pursuant to this State law, then the land owner shall re-inter the human remains and items associated with Native American burials on the property in a location not subject to further subsurface disturbance.• A final report shall be submitted to the Director of Planning prior to release of a Certificate of Occupancy. This report shall contain a description of the mitigation programs and its results including a description of the monitoring and testing program, a list of the resources found, a summary of the resources analysis methodology and conclusions, and a description of the disposition/curation of the resources. The report shall verify completion of the
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	<p>mitigation program to the satisfaction of the Director of Planning.</p> <p><u>Cultural Resources</u></p> <p>Pursuant to Section 7050.5 of the Health and Safety Code, and Section 5097.94 of the Public Resources Code of the State of California in the event of the discovery of human remains during construction, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains. The Santa Clara County Coroner shall be notified and shall make a determination as to whether the remains are Native American. If the Coroner determines that the remains are not subject to his authority, he shall notify the Native American Heritage Commission who shall attempt to identify descendants of the deceased Native American. If no satisfactory agreement can be reached as to the disposition of the remains pursuant to this State law, then the land owner shall re-inter the human remains and items associated with Native American burials on the property in a location not subject to further subsurface disturbance.</p>
Noise	<p>The following standard permit conditions would ensure that the project adheres to noise regulation standards established by both HUD and CEQA:</p> <ul style="list-style-type: none"> • The project would ensure that all residents have access to outdoor use areas that achieve exterior noise criteria (60 dBA DNL for residential uses). A 5-dBA attenuation at exterior use areas would be achieved with the construction of properly located and constructed noise barrier fences (typically 6-8 feet in height) or by orienting project buildings so as to provide shielding from traffic noise at outdoor use areas. • The specific determination of what noise insulation treatments are necessary would be conducted on a unit-by-unit basis. Results of the analysis, including the description of the necessary noise control treatments, would be submitted to the City along with the building plans and approved prior to issuance of a building permit. • Building sound insulation requirements would include the provision of forced-air mechanical ventilation for units throughout the site, so that windows could be kept closed at the occupant's discretion to control noise.

	<ul style="list-style-type: none">• Sound rated windows and doors would be provided to maintain noise levels at acceptable levels. This can be accomplished through the proper specification of windows and doors during project design. In this noise exposure, standard wall construction including windows and doors with Sound Transmission Class ratings of 26 – 28 are typically sufficient to achieve the required level of attenuation.• Construction would be limited to the hours of 07:00 AM to 07:00 PM Monday through Friday for any on-site or off-site work within 500 feet of any residential unit, unless a development permit is obtained for construction outside of these hours.• Permitted work activities shall be conducted exclusively within the interior of enclosed building structures provided that such activities are inaudible to existing adjacent residential uses. Exterior generators, water pumps, compressors, and idling trucks are not permitted.• The developer shall be responsible for educating all contractors and subcontractors of said construction restrictions. Rules and regulation pertaining to all construction activities and limitations identified in this permit, along with the name and telephone number of a developer appointed disturbance coordinator (see below), shall be posted in a prominent location at the entrance to the job site. The Director of Planning, at his discretion, may rescind provisions to allow extended hours of construction activities on weekends upon written notice to the developer.• The contractor shall use “new technology” power construction equipment with state-of-the-art noise shielding and muffling devices. All internal combustion engines used on the project site shall be equipped with adequate mufflers and shall be in good mechanical condition to minimize noise.• Stationary noise generating equipment would be located as far as possible from sensitive receptors. Staging areas shall be located a minimum of 200 feet from noise sensitive receptors, such as residential uses.• The developer would implement the measures to minimize construction noise impacts on the surrounding sensitive land uses to the fullest extent
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	<p>possible. The measures may include, but not be limited to, the following:</p> <ul style="list-style-type: none"> ○ Early and frequent notification and communication with the neighborhood of the construction activities and construction schedule. ○ If impact equipment (e.g., jack hammers, pavement breakers, rock drills) is needed during Project construction, hydraulically or electric-powered equipment shall be used wherever feasible to avoid the noise associated with compressed-air exhaust from pneumatically powered tools. However, where use of pneumatically powered tools is unavoidable, an exhaust muffler on the compressed-air exhaust shall be used. External jackets on the tools themselves shall also be used if available and feasible. ○ Equipment at the work area would be strategically located to maximize the distance to noise-sensitive receptors and to take advantage of any shielding that may be provided by other on-site equipment. ○ A “noise disturbance coordinator” would be designated who would be responsible for responding to any local complaints about construction noise. The disturbance coordinator would determine the cause of the noise complaints (e.g., beginning work too early, bad muffler, etc.) and institute reasonable measures warranted to correct the problem. A telephone number for the disturbance coordinator would be conspicuously posted at the construction site.
Water Quality	<p>As per the City of San Jose’s policies regarding construction and water quality:</p> <ul style="list-style-type: none"> • Future development would be required to comply with City Municipal Code Title 20 Zoning by enforcing the NPDES Permit as well as the SWPPP through the RWQCB. • A Stormwater Management Plan, including proposed stormwater treatment facilities, would be submitted to the City for approval before issuance of a construction permit.

Energy	<p>In order to reduce energy consumption to the highest extent feasible:</p> <ul style="list-style-type: none"> The project would adhere to the California Energy Commission's Building Energy Efficiency Standards (Title 24), which would reduce the project's potential to use energy in an inefficient or wasteful manner.
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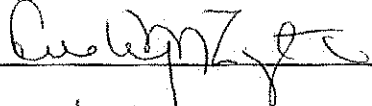
Determination:

☒ **Finding of No Significant Impact** [24 CFR 58.40(g)(1); 40 CFR 1508.27]

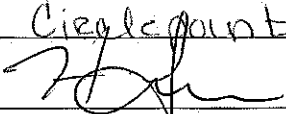
The project would not result in a significant impact on the quality of the human environment.

☐ **Finding of Significant Impact** [24 CFR 58.40(g)(2); 40 CFR 1508.27]

The project may significantly affect the quality of the human environment.

Preparer Signature:  Date: 3-8-16

Name/Title/Organization: Audrey M. Zugazeta, Project Director

Cieglepoint
Certifying Officer Signature:  Date: 3/10/16

Name/Title: HARRY FREEMAN'S DIRECTOR OF PLANNING, BUILDING & CODE ENFORCEMENT

This original, signed document and related supporting material must be retained on file by the Responsible Entity in an Environmental Review Record (ERR) for the activity/project (ref: 24 CFR Part 58.38) and in accordance with recordkeeping requirements for the HUD program(s).

Source Documentation List

Advisory Council on Historic preservation. *Protection of Historic Properties*. August, 2004.

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Association of Bay Area Governments. Regional Housing Need Plan, San Francisco Bay Area:

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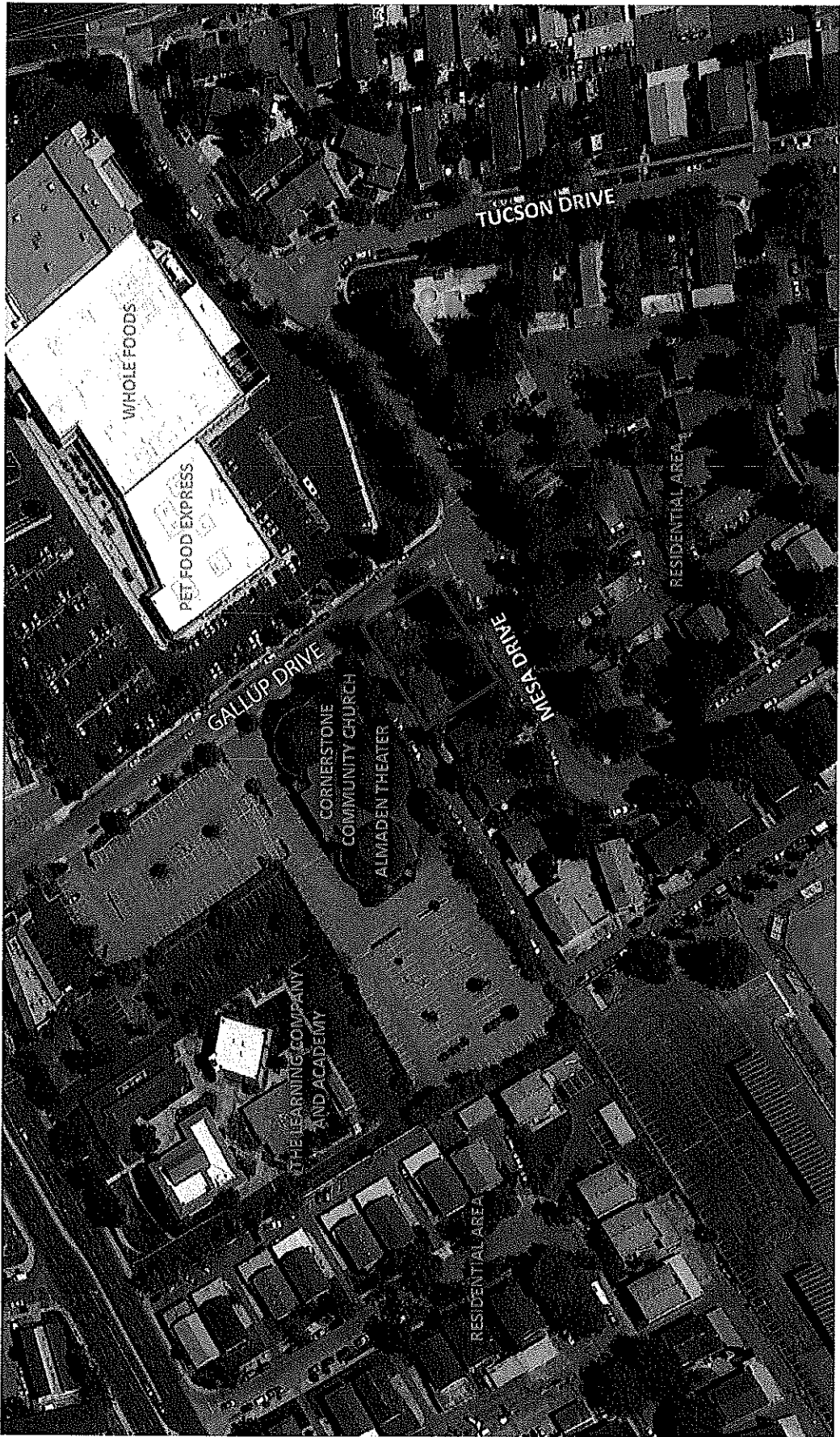
[https://cepa.stanford.edu/sites/default/files/6-Brunner\(3-07\).pdf](https://cepa.stanford.edu/sites/default/files/6-Brunner(3-07).pdf). Last accessed: January 29, 2016.

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- Federal Emergency Management Agency (FEMA). Flood Insurance Rate Map (FIRM). Available at: <http://map1.msc.fema.gov/idms/IntraView.cgi?KEY=87007069&IFIT=1>. Last accessed: January 28, 2016.
- National Flood Insurance Program. *When Insurance is Required*. January 2016. Residents of Moderate-to-Low Risk Areas. Available at: https://www.floodsmart.gov/floodsmart/pages/about/when_insurance_is_required.jsp. Last accessed: January 28, 2016.
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- Santa Clara County Airport Land Use Commission. *Comprehensive Land Use Plan, Santa Clara County, Norman Y. Mineta, San Jose International Airport*. May 25, 2011. Figure 7, Airport Safety Zones; Figure 8, Airport Area of Influence.

- Santa Clara County Airport Land Use Commission. *Comprehensive Land Use Plan, Santa Clara County, Reid-Hillview Airport*. October 24, 2007. Figure 7, Airport Safety Zones; Figure 8, Airport Area of Influence.
- State of California. California Health and Safety Code, Section 7050.5, and the California Public Resources Code, Sections 5097.94 and 5097.98. Available at: <http://www.leginfo.ca.gov/cgi-bin/displaycode?section=hsc&group=07001-08000&file=7050.5-7055>. Last accessed: January 28, 2016.
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Appendix G	Environmental Justice
Appendix H	CEQA Categorical Exemption



Aerial Map and Surrounding Land Uses

Figure